

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Operating Engineers Local #49 Health and  
Welfare Fund and Central Pension Fund of the  
International Union of Operating Engineering and  
Participating Employers and their trustees, et al.,

Plaintiffs,

Civil No. 09-3452 (RHK/RLE)

vs.

**ORDER**

Thielen Excavating, LLC, Jon Thielen,  
individually,

Defendants.

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This matter is venued in the Sixth Division.

All proceedings before the undersigned (motions, trial, etc.) will be held in the  
United States Courthouse in Fergus Falls, Minnesota, unless otherwise directed by the  
Court.

Dated: December 7, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge